

Board Members

Gary D. Lovejoy, Ph.D.
Chairperson
Fred Wiggins, Ph.D.
Vice-Chairperson
Ramona N. Mellott, Ph.D.
Secretary
Vacant – Public Member
Joseph C. Donaldson
Megan Hunter-Williams
Cheryl L. Karp, Ph.D.
Miki Paul, Ph.D.
Frederick S. Wechsler, Psy.D. ABPP



State of Arizona Board of Psychologist Examiners

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Staff

Ben Foster
Executive Director

Meghan B. Hinckley
Deputy Director

Victoria Kamm, CI
Investigator

Vacant
Administrative
Assistant

REGULAR SESSION MINUTES

Friday, August 1, 2008

1400 West Washington
Basement Conference Room, #B-1
Phoenix, AZ 85007

1. CALL TO ORDER

The regular session of the Arizona State Board of Psychologist Examiners was called to order by Chairman Lovejoy at 8:30 a.m. on Friday, August 1, 2008. Two Executive Sessions were held at 8:45 a.m. on Friday August 1, 2008 and at 3:15 p.m. on Saturday August 2, 2008.

2. ROLL CALL

Board Members Present

Gary D. Lovejoy, Ph.D. - Chairman
Fred Wiggins, Ph.D. - Vice-Chairman
Ramona N. Mellott, Ph.D. – Secretary
Joseph C. Donaldson
Cheryl L. Karp, Ph.D.
Miki Paul, Ph.D.
Frederick Wechsler, Psy.D., ABPP

Staff Present

Meghan B. Hinckley, Acting Director/Deputy
Victoria Kamm, CI, Investigator

Attorney General's Office

Jeanne Galvin, Esq.
Assistant Attorney General

Board Members Absent

Megan Hunter-Williams

3. REMARKS/ANNOUNCEMENTS

- **Board Member and Staff Appreciation** - Chairman Lovejoy thanked Staff for all their dedication and hard work. Chairman Lovejoy also thanked the Board members for all of their hard work on the various Committees including the Complaint Screening Committee and the Applications Review Committee.
- **CE Documentation** - Chairman Lovejoy announced that licensees could receive CE credits in Ethics for their attendance at Board meetings. Chairman Lovejoy explained that in order to obtain credit one must register on the CE roster, complete the 3 page CE record form, have the first page signed and stamped with the validation stamp, keep the first page, and submit the remaining pages to Ms. Kamm or Ms. Hinckley. It was noted that Ms. Kamm and Ms. Hinckley are the only two staff that can stamp the CE validation form. Licensees are eligible to receive 2 credits for attending the morning session, and 4 credits for all day attendance.

- **Board Assessment Forms** - Chairman Lovejoy announced to members of the public audience that the Board appreciates feedback regarding their meetings and that they read every evaluation. Chairman Lovejoy encouraged members of the audience to complete a Board Meeting Assessment Survey and place them in the box outside the Board room. Chairman Lovejoy also commended the Board members as the reviews from the June meeting were outstanding.
- **Acknowledgement of Attendance of New Executive Director** – Chairman Lovejoy announced that the new Executive Director for the Board, Mr. Ben Foster, would be attending the Board meeting and observing from the gallery for the next two days. Chairman Lovejoy welcomed Mr. Foster to Arizona and the Board meeting and encouraged Board members to introduce themselves to Mr. Foster during his stay here.

4. APPROVAL OF MINUTES

- **Regular Session – June 6, 2008** – The following changes were made to the minutes: page 2, number 5, last paragraph, change “to” to “the,” page 3, number 7, correct the date of *June 10, 2008*, to *June 11, 2008*, page 3 number 11, change misspelling of “STATUITE” to “STATUTE,” page 4, number 13, change misspelling of “Dr. Pal” to “Dr. Paul,” same page, number 14, change misspelling of “attroney” to “attorney,” page 5, number 16, under Pass, change misspelling of “Baunmgardner” to “Baumgardner.” A motion was made by Dr. Karp, seconded by Dr. Mellott, and carried unanimously, to approve the June 6, 2008 Regular Session minutes as amended.
- **Executive Session – June 6, 2008** – Dr. Paul made a motion, seconded by Dr. Karp, and carried unanimously, to approve the June 6, 2008 Executive Session minutes as amended.
- **Executive Session – Legal Session – June 6, 2008** - Dr. Mellott made a motion, seconded by Dr. Wiggins, and carried unanimously, to approve the June 6, 2008 Executive Session – Legal Session minutes as amended.
- **Regular Session – June 11, 2008** – Dr. Paul made a motion, seconded by Dr. Karp, and carried (6-0-1), with Dr. Wiggins abstained, to approve the June 11, 2008 Regular Session minutes.
- **Executive Session – June 11, 2008** - Dr. Karp made a motion, seconded by Dr. Mellott, and carried (6-0-1) with Dr. Wiggins abstained, to approve the June 11, 2008 Executive Session minutes as amended.
- **Executive Session – Legal Session - June 11, 2008** - Dr. Mellott made a motion, seconded by Dr. Paul, and carried (6-0-1) with Dr. Wiggins abstained, to approve the June 11, 2008 Executive Session – Legal Session minutes as amended.
- **Regular Session – June 17, 2008** – Mr. Donaldson made a motion, seconded by Dr. Paul, and carried (6-0-1), with Dr. Karp abstaining from the vote, to approve the June 17, 2008 Regular Session minutes.
- **Executive Session – June 17, 2008** - Dr. Wechsler made a motion, seconded by Mr. Donaldson, and carried (6-0-1) with Dr. Karp abstained, to approve the June 11, 2008 Executive Session – Legal Session.

5. CALL TO THE PUBLIC

Chairman Lovejoy gave the public the opportunity to address the Board at this time. Dr. Faren Akins, the Arizona Psychological Association’s (AzPA) liaison to the Board, noted that Dr. Paul’s Board term would be ending in January 2009. Dr. Akins thanked Dr. Paul for her dedicated years of service to the Board.

Dr. Akins stated that that AzPA had created an Endorsement Committee to review candidates for Dr. Paul’s replacement and elected Dr. Gary Perrin by unanimous vote. Dr. Akins stated that the

association's endorsement letter has been sent to the Governor's office for consideration in this matter.

6. INFORMAL INTERVIEW – Friday, August 1, 2008, 9:30 a.m. – Larry Grimm, Ph.D. – RFI No. 07-052

Dr. Grimm was present and made a statement to the Board. Board members proceeded to deliberate after which a motion was made by Dr. Mellott, seconded by Dr. Karp, and carried (6-0-1), with Dr. Wechsler abstaining, to issue a Non-Disciplinary Consent Agreement and Order. Pursuant to A.R.S. § 32-2081(G)(6), the Board felt that while the respondent's conduct in RFI No. 07-052 did not warrant disciplinary action, it is nonetheless cause for concern on the part of the Board and that continuation of such actions could result in disciplinary action. The Consent Agreement and Order is to include the following stipulations: licensee shall obtain 8 hours of CE in addition to statutory requirements for renewal of his license, 4 hours in record keeping and 4 hours of peer practice consultation in record keeping, ethics, and review of Arizona statutes, with another licensed psychologist with a similar practice. Dr. Grimm will provide the names of potential psychologists for peer practice consultation for the Board chair's approval within 45 days of the date of the order and, upon approval, will provide the psychologist with a fully executed copy of the Board Order. The order shall be completed within 6 months of the date of the order with Dr. Grimm providing the Board with primary source verification from the peer practice consultant upon completion.

7. DISCUSSION/ADVICE REGARDING ROLE & DUTIES OF THE CHAIR OF THE BOARD – Chairman Lovejoy, Ms. Hinckley

Chairman Lovejoy opened the discussion stating that the roles & duties of the Chair of the Board should be defined procedurally so that each successive Chair has guidelines by which to run while in office. Discussion ensued and the Board directed Ms. Kamm to research how other Boards, of similar size and scope of authority, dictate procedurally what the duties and role of the Chair. In addition, it was recommended that, if other Boards are in the practice of it, the Board should draft and approve by-laws regarding the roles of the Executive Committee Officers in order to prevent any further confusion. Ms. Kamm accepted the task and will report on the issue next meeting.

8. DISCUSSION/DISCUSSION REGARDING CURRENT AND FUTURE PROPOSED STATUTE AND RULE CHANGES – Chairman Lovejoy

Please refer to Regular Session Minutes, Saturday August 2, 2008.

9. DISCUSSION/DECISION REGARDING CHAIR APPOINTING AN AD HOC BEHAVIOR ANALYST LICENSURE IMPLEMENTATION COMMITTEE TO ASSIST THE BOARD AND STAFF WITH THE IMPLEMENTATION OF HB 2275 – Chairman Lovejoy

Dr. Lovejoy stated that he would like the Board to support him in appointing an Ad Hoc Committee for Behavior Analyst Legislation that can review HB 2275 and begin drafting rules and statutes for licensure of Behavior Analysts. After a brief discussion, the Board members noted that the Ad Hoc Committee should be appointed by the Executive Committee of the Board, and should consist of 2 Behavior Analysts, 2 Psychologists, 1 Board member, and the Executive Director as voting members. After further discussion, Dr. Paul directed staff to post an announcement on the Board's website soliciting resumes, curriculum vitas, and endorsements for potential Ad Hoc Committee Members to be submitted to the Board office prior to September 15, 2008. Once submitted, the Executive Committee would convene at the October 3, 2008 Board meeting to appoint members to the Ad Hoc Behavior Analyst Committee from the pool of resumes submitted.

10. SELECTION OF DELEGATE TO ATTEND ASPPB ANNUAL MEETING, OCTOBER 29 – NOVEMBER 2, 2008 IN NASHVILLE, TENNESSEE – Chairman Lovejoy

Chairman Lovejoy announced that ASPPB would be holding its annual conference in Nashville, Tennessee from October 29, – November 2, 2008 and open the floor for nominations of Board member attendees. Dr. Paul moved that the Board invite Dr. Wiggins to attend the conference,

barring any scheduling conflicts, and that Dr. Mellott attend, as an alternate. In addition, Dr. Paul moved that Mr. Foster attend the annual conference as the Board Administrator representative. Dr. Wiggins accepted the nomination as did Dr. Mellott and Mr. Foster to attend the meeting. Dr. Karp seconded, and it carried (7-0).

Dr. Paul noted that, even though it had been Board policy, historically, it would be appropriate to send other members of the Board that are NOT Executive Committee Members as well. Ms. Hinckley noted that if it was in the budget, the Board could send 2 members of the Board and an Administrator. However, due to recent budgetary constraints, the Board should limit their representatives to 1 Board member and 1 Administrator.

11. DISCUSSION/DECISION/ADVICE REGARDING “FAMILIAL OR FINANCIAL RELATIONSHIP” SURING AN INTERNSHIP/POST-DOC SUPERVISED EXPERIENCE OF APPLICANT – Dr. Mellott

Dr. Mellott noted that there was a recent application reviewed in ARC wherein the supervisee was paid a stipend for his hours. Dr. Mellott also noted that the supervisor noted this on the applicant verification form. Dr. Mellott requested that the Board clarify the definition of “familial or financial relationship” in relation to the statute A.A.C. § R4-26-209. After discussion, the Board noted that historically, supervisees are sometimes paid a stipend for their services, but this is not considered a substantial financial relationship. The Board noted that if the supervisee paid the supervisor for supervision hours or the supervisee had financial interests in the business, such as part ownership, then the relationship could be considered pecuniary in nature. Dr. Mellott stated that ARC had tabled the matter in order to get more information regarding the nature of such relationship in this isolated case.

12.A. ACTING DIRECTOR’S REPORT

- **Financial** – Ms. Hinckley reported that the states fiscal year ended on June 30, 2008 and the Board ended the year having spent 94% of their appropriations, or \$365,162.48. The remaining \$21,537.52 will revert back into the Board’s reserve fund balance, but those monies cannot be spent unless and until they are appropriated back to the Board by the Legislature and the Governor. Ms. Hinckley noted that with the Legislature passing HB 2209, the FY ’09 Budget Bill, it would be in the Board’s best financial interest to expend approximately 95% of it’s appropriated budget in the coming year to avoid any further sweeps. The Board is appropriated \$381,900.00 for FY ’09 with a \$13,500.00 additional appropriation expected in January 2009.
- **Legislation**–
 - **HB 2209** - Ms. Hinckley reviewed that the Legislature passed this bill which included massive fund sweeps from state agencies. The Psychology Board will incur a fund sweep totaling \$563,000.00. While the Board’s budget and operation are sound for FY ’09, the large monetary sweep will render the Board insolvent at the beginning of FY ’10. OSPB and JLBC along with Legislature are in negotiations to try and fix the bill and salvage the majority of the 90/10 agencies that will be affected. Ms. Hinckley reported that at this time, Board staff will be scrutinizing the FY ’09 Budget for cost cutting measures and operate under the assumption that a “bill fix” will not occur.
 - **HB 2275** – Ms. Hinckley reported that this bill provides for licensure and regulation of Behavior Analysts under the Board of Psychologist Examiners. Unfortunately, the current Legislation did not provide an appropriation or any other source of means of financial resources required to immediately regulate behavior analysts. Therefore, in the coming weeks, the Board of Psychologist Examiners will be establishing an Ad Hoc Committee to research and develop the necessary measure to facilitate implementation of licensure of behavior analysts.
 - **HB 2620** – On July 28, 2008, OSPB swept a “reversion amount” in the sum of \$4,00.00 for the FY ’09 hiring freeze.

- **Meeting with AzPA** – On July 17, 2008, Board staff attended a meeting with AzPA's Executive Committee regarding the passing of HB 2275. AzPA's main concern was the disparity in credentials and training between psychologists and behavior analysts, and how that would be addressed. In addition, members were concerned that the financial burden of licensing these individuals would fall upon the Psychologists of Arizona. It was the Board's position, and that of its Lobbyist who was in attendance, Mr. Stuart Goodman, that the members voice their concerns simultaneously with the Board of Psychologist Examiners to the Legislature in order to have HB 2275 revised at the next Legislative Session.

12.b. LICENSING REPORT

- **New Applications** –Ms. Hinckley reported that the Board had received **16** new applications since June 2008, for a total of **62** total applications received this calendar year; that compared to **71** applications received by this time last year.
- **EPPP Results** – Ms. Hinckley next reported that as of June 2008, **15** applicants had passed the EPPP.
- **New Licenses** – Finally, Ms. Hinckley reported that the Board has issued **43** new licenses as compared to the **47** licenses issued by this time last year.

13. INVESTIGATIONS REPORT

- **New Cases Received** – Ms. Kamm reported that since the April 2008 Board meeting, the Board has received 11 new complaints, which totals 22 complaints received for the 2008 calendar year.
- **Cases Resolved** – Ms. Kamm reported that, for the calendar year, 25 cases have been dismissed at the CSC level, 1 case has been referred to the full board, and 1 case administratively closed. There are 6 cases currently under investigation.

14. COUNSEL REPORT – Ms. Galvin

Ms. Galvin stated that she had nothing to report on from the AG's office.

15. DISCUSSION/DECISION REGARDING APPLICATIONS

- **REQUESTING EXAMINATION**
Dr. Mellott made a motion, seconded by Dr. Karp, and unanimously carried (7-0), that **Estrella Ramirez-Cluck, Ph.D.**, having obtained a doctoral degree in psychology as required under A.R.S. § 32-2071, be approved to sit for the Examination for Professional Practice in Psychology (EPPP).
- **REQUESTING EXAMINATION & LICENSURE**
Dr. Paul made a motion, seconded by Dr. Karp, and carried (6-0-1), with Dr. Mellott abstaining, that the following applicants, having met the requirements of A.R.S. § 32-2071 and A.A.C. R4-26-203, be approved to sit for the EPPP and for licensure upon receipt of a passing score on the examination, and payment of the pro-rated original license fee:
 - Sandra Ekeinde, Ph.D.
 - Kristine Goto, Ph.D.
 - Amy Paul, Psy.D.
 - Anne Scott, Ph.D.
- **REQUESTING LICENSURE UPON COMPLETION & APPROVAL OF POST-DOC HOURS**
Dr. Mellott made a motion, seconded by Dr. Karp, and unanimously carried (7-0), that the following applicants, having met the requirements of A.R.S. § 32-2071.01(A), having passed the

EPPP with a score of 70% or better and completed his post-doctoral hours, be approved for licensure upon payment of the pro-rated original license fee.

- Sharon Bell, Psy.D.
- Allison Reuter, Ph.D.

Dr. Mellott made a motion, seconded by Dr. Karp and unanimously carried (7-0), to table the application of **Richard Jennen, Psy.D.**, and remand the application back to the ARC Committee for further information prior to recommending licensure.

16. NEW BUSINESS/AGENDA ITEMS FOR FUTURE MEETINGS

- **Possible Board By-Laws regarding roles/duties of the Executive Committee – Ms. Kamm**

17. ADJORN

There being no further business to come before the Board, a motion was made by Dr. Lovejoy, seconded by Dr. Karp, and unanimously carried (7-0), to adjourn the meeting at 4:23 p.m.

**Prepared by:
Meghan Hinckley
Deputy Director**

Respectfully submitted,

**Ramona Mellott, Ph.D.
Secretary**